

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

**JUSTIN MOUTON,
Defendant.**

§
§
§
§
§
§
§

CRIMINAL NO. 20-0501

**GOVERNMENT’S RESPONSE TO DEFENDANT’S MOTION FOR EMERGENCY
STATUS CONFERENCE**

On April 20, 2023, counsel for the Defendant filed a Motion for Emergency Status Conference. (DE-69). The Government files this reply to address the counsel’s request that “an appropriate Government official” appear before the Court to address any issues counsel raises.

The Government believes that it can provide any necessary updates to the Court and to counsel for the Defendant. In fact, the Court instructed the Government to advise the Court when Mr. Mouton had been admitted to the Springfield facility and to make the Court aware of any delays that might arise. The Government has every intention of providing those updates to the Court. As of this writing, no delays have occurred in Mr. Mouton’s process towards admittance into the facility.

Today, the government has verified with BOP officials that the Defendant’s date of admittance into the Springfield facility is exactly the same date that was provided to the Court during the last status conference: May 18, 2023.

The only date that has changed is the date that Mr. Mouton’s transfer process was to begin. Mr. Mouton began his transfer process on Friday, April 7, 2023. Previously, he was scheduled to begin the transfer process later in April. After the date was moved ahead to April 7, 2023, the government emailed the Court’s Case Manager to remind the Court that any potential hearings in

this matter beyond April 7, 2023, might exclude the Defendant's presence, so to not interfere with that process. The Government did not express any opposition to any continued hearings on the matter. Counsel for the Defendant was included on that email. The Court shortly thereafter informed the parties that at that time, no further hearings on the matter were anticipated.

The Government does not oppose Counsel for the Defendant requesting a hearing before the Court and will appear whenever the Court so orders. However, the Government respectfully requests that before the Court order any BOP personnel to personally appear before it that a hearing is first held between the Court and the parties so it can be determined whether any material fact has changed since the last hearing the Court held. The Government believes that there have not been any such changes.

Respectfully submitted,

Alamdar S. Hamdani
United States Attorney

By: /s/John M. Lewis
John M. Lewis
Assistant United States Attorney
(713) 567-9000

CERTIFICATE OF SERVICE

I, John M. Lewis, Assistant United States Attorney, certify that on April 20, 2023, an electronic copy of the United States' Advisory to the Court was electronically filed with the United States District Court for the Southern District of Texas and served by notice of electronic filing via this Court's ECF system upon opposing counsel, Mr. Philip G. Gallagher.

/s/John M. Lewis
John M. Lewis
Assistant United States Attorney
(713) 567-9000